



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

FEB - 1 2002

The Honorable Rick Boucher  
U.S. House of Representatives  
2187 Rayburn House Office Building  
Washington, D.C. 20515

Dear Representative Boucher:

Thank you for your letter of January 14, 2002, on behalf of your constituent, Dan Clark, Alleghany County Engineer, regarding the Kim-Stan Landfill Superfund site, located in Alleghany County, Virginia. As requested, the Environmental Protection Agency (EPA) is providing the following information on the status of the Kim-Stan Landfill site.

The information requested suggests that Alleghany County is concerned that EPA may select the "no-action" remedy for the Kim-Stan Landfill. While it is premature to identify the remedy that will be implemented at this site, EPA can assure you that we will select a remedy that is protective of human health and the environment. The National Oil and Hazardous Substances Pollution Contingency Plan (40 C.F.R. Part 300.430 (e) (6)) requires EPA to evaluate the "no-action" alternative at every site, this is to provide a baseline for comparison to more active remedial measures. Analytical data from soil, sediment and groundwater samples taken at the Kim-Stan Landfill suggest that a remedy other than the "no-action" alternative would be appropriate to address the risks posed by this site. We explained this to the County in an extremely productive meeting, on November 2, 2001, in Philadelphia.

EPA is currently finalizing the Remedial Investigation and Feasibility Study (RI/FS) and will use this information to develop the Proposed Remedial Action Plan (proposed plan) for the Kim-Stan Landfill site. EPA will identify its preferred alternative in the proposed plan, and solicit public comment during a 30-day comment period. Following our evaluation of the comments received on the proposed plan, EPA will select a final remedy for the site and document this decision in a Record of Decision, which we expect to issue this Summer. Concurrently, EPA is also finalizing the potentially responsible party investigation and will be notifying the appropriate parties of their potential liability with respect to the Kim-Stan Landfill site.

If you have any questions, please feel free to contact me or have your staff contact Mr. Michael D'Andrea, Virginia Liaison Officer, at 215-814-5615.

Sincerely,

A handwritten signature in black ink, reading "Donald S. Welsh". The signature is written in a cursive, flowing style.

Donald S. Welsh  
Regional Administrator

**RICK BOUCHER**  
9TH DISTRICT, VIRGINIA

COMMITTEES  
**ENERGY AND COMMERCE**

SUBCOMMITTEES:  
TELECOMMUNICATIONS AND THE  
INTERNET

RANKING MEMBER,  
ENERGY AND AIR QUALITY

JUDICIARY  
SUBCOMMITTEE  
COURTS, THE INTERNET,  
AND INTELLECTUAL PROPERTY

ASSISTANT WHIP

CO-CHAIR,  
CONGRESSIONAL INTERNET CAUCUS



**Congress of the United States**  
**House of Representatives**

January 14, 2002

WASHINGTON OFFICE:  
2187 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-1861  
e-mail: NINTHNET & MAIL HOUSE.GOV  
WWW: <http://www.house.gov/boucher/>

CONSTITUENT SERVICE OFFICES:

188 EAST MAIN STREET  
ABINGDON, VIRGINIA 24210  
(540) 523-1145

1 CLOVERLEAF SQUARE  
SUITE C-1  
BIG STONE GAP, VIRGINIA 24213  
(540) 523-5450

106 NORTH WASHINGTON AVENUE  
P.O. BOX 1268  
PULASKI, VIRGINIA 24301  
(540) 380-4310

**Mr. Donald S. Welsh**  
**Regional Administrator**  
**Region III**  
**Environmental Protection Agency**  
**1650 Arch Street**  
**Philadelphia, Pennsylvania 19103**

Dear Don:

It has come to my attention that the Environmental Protection Agency will conclude their feasibility study of the Kim-Stan Landfill Site in Alleghany County, Virginia, shortly. It is my understanding that the study could result in either a cleanup decision or a "no action" decision. I am writing to strongly urge that you proceed with a proper closure and cleanup of the Kim-Stan Landfill site.

In recent months, Alleghany County has experienced several setbacks with regard to employment opportunities and job creation. It is of utmost importance that the Kim-Stan Landfill site be removed from the list of detrimental factors in industry recruitment. With proper closure and cleanup the landfill site will provide protection of the public health, general environmental and aesthetic improvements to the landfill site and give the residents of the area peace of mind.

I would greatly appreciate your considering these factors as you finalize your feasibility study. I would further appreciate your providing my Abingdon District Office with a status report on the project. Thanking you for your response to this request, I am with kind regards

Sincerely,

**Rick Boucher**  
**Member of Congress**

RB/ld